

## EXPLANATORY MEMORANDUM

### **The Education (Pupil Information) (Wales) (Amendment) Regulations 2007**

This Explanatory Memorandum has been prepared by the Department for Children Education Lifelong Learning & Skills and is laid before the National Assembly for Wales.

#### **Description**

This Regulation makes minor amendments to allow changes to the reporting of pupil level information to parents and adult pupils

#### **Matters of special interest to the Subordinate Legislation Committee**

There are no matters of special interest in relation to these Regulations.

#### **Legislative Background**

The Assembly will make the Regulations in exercise of the powers conferred on the Secretary of State by section 537A (1), (2) and (4) and section 569(4) and (5) of the Education Act 1996, which is now vested in the Welsh Ministers.

#### **Purpose and intended effect of the legislation**

The Education (Pupil Information) (Wales) Regulations 2004 specify:

- Information that should be maintained by schools in relation to educational and curricular records;
- Disclosure of such records to parents and other schools;
- Requirements to report to parents and adult pupils;

All qualifications have value in their own right as part of a fully-rounded educational experience and as a pathway towards further learning and employment. With the reporting of a wider range of qualifications, schools will receive full recognition of their efforts to broaden the curriculum opportunities available to their students. Minor amendments are proposed which reflect policy on reporting information on pupils who have attained the age of 15 to parents and adult pupils. This information would previously have only related to GCE "A" or "AS" Level and AVCE qualifications as well as GCSEs and a narrow selection of vocational equivalents.

The Regulations propose to define this information as the average point score a pupil achieves in approved qualifications. The points allocated to each approved qualification are determined in accordance with the database of accredited qualifications which is published by the Qualifications and Curriculum Authority.

The Qualifications and Curriculum Authority was established under section 21 of the Education Act 1997. The database is accessible on the Authority's website at [www.openquals.org.uk](http://www.openquals.org.uk)

The amendments to this Regulation will apply to maintained schools in Wales and it is proposed to bring them into force in January 2008.

### **Implementation**

The Regulations were made on 17<sup>th</sup> December 2007 and are intended to come into force on 14<sup>th</sup> January 2008.

### **Consultation**

We issued a consultation document on 24 September. The consultation ended on 16 November 2007.

### **Regulatory Impact Assessment**

A Regulatory Impact Assessment has been carried out and follows.

### **Compliance**

The proposed legislation is compatible with the provisions in section 80, section 81 and section 82.

## **REGULATORY IMPACT ASSESSMENT**

### **The Education (Pupil Information) (Wales) (Amendment) Regulations 2007**

#### **Options**

##### Option 1: Do Nothing

In the event of the instrument not coming into force;

The existing Regulation will not reflect the need to report to parents and adult pupils the wider range of qualifications a pupil who has attained the age of 15 might achieve as a result of the broadening of the curriculum through the 14-19 Learning Pathways.

##### Option 2: Make the Legislation

The Assembly will be granted the powers to make it a requirement to report a broader, more encompassing range of qualifications.

The Regulations propose to define this information as the average point score a pupil achieves in approved qualifications. The points allocated to each approved qualification are determined in accordance with the database of accredited qualifications which is published by the Qualifications and Curriculum Authority.

#### **Benefits**

All qualifications have value in their own right as part of a fully-rounded educational experience and as a pathway towards further learning and employment. With the reporting of a wider range of qualifications, schools will

receive full recognition of their efforts to broaden the curriculum opportunities available to their students.

**Costs**

The new Regulation has no direct financial implication for the Assembly, schools or Local Education Authorities.

**Consultation**

We issued a consultation document on 24 September. The consultation ended on 16 November 2007.

**Post implementation review**

This Regulation is bringing into line best practice currently exercised by schools. There are no plans in place to review the Order.

**Summary**

Minor amendments are proposed which reflect policy on reporting information on pupils who have attained the age of 15 to parents and adult pupils. This information would previously have only related to GCE "A" or "AS" Level and AVCE qualifications as well as GCSEs and a narrow selection of vocational equivalents.